REMARKS

The present invention relates to a method and system for communicating data between a user and a receiver over a telecommunication network in which the data pertains to intellectual property such as patents and trademarks; see page 1, lines 11-12 of the patent specification.

Claim 1, the first independent claim, clearly defines a means for registering the user to communicate the application data which relates to the intellectual property over the network to the receiver. Claim 1 further defines a means for receiving data relating to intellectual property as well as for verifying the completeness of the transmitted data from the user. Claim 1 also clearly defines the means for acknowledging receipt of the verified data to the receiver over the telecommunication network.

The Patent Examiner, however, has rejected claim 1 as unpatentably obvious under 35 U.S.C. §103 over U.S. Patent No. 5,758,324 to Hartman et al. when combined with U.S. Patent No. 6,192,407 to Smith et al. However, for the reasons set forth below, Applicant respectfully submits that this basis for rejection is in error and should be withdrawn.

More specifically, the Hartman et al. patent is merely directed to a system for storing and retrieving information relating to job applications over a telecommunication network. The crux of the Hartman et al. patent is that various information is broken down into different fields to facilitate searching of the database. According to Hartman, parsing the data in this fashion, better searching, and thus better matching between the job openings and the job applicants, can be obtained.

Applicant respectfully submits that Hartman et al. has absolutely nothing to do with the instant invention. Rather, the instant invention is directed to both a method and system for transmitting data pertaining to intellectual property over a telecommunication network which has

absolutely nothing to do with a job applicant/job opening system taught by Hartman et al. Furthermore, this aspect of Applicant's invention has been even further clarified by amendment to claim 1.

The Patent Examiner's secondary reference to Smith et al. does not cure this deficiency of Hartman et al. Applicant freely acknowledges that the Smith et al. patent discloses a system in which the receiver confirms receipt of the data over the communication network, but again has absolutely nothing to do with intellectual property as it is used in this patent application and clearly set forth in claim 1.

For the above reasons, Applicant respectfully submits that the Patent Examiner's rejection of claim 1 is in error and should be withdrawn.

For the above reasons, Applicant respectfully submits that claim 1 is allowable over the prior art of record. Claims 2-4 and 6-7 depend from claim 1 and are, therefore, also allowable.

The Patent Examiner has also rejected claim 8 as unpatentably obvious over Hartman et al. in view of Smith et al. Claim 8 is a method claim whereas claim 1 is a system claim. However, claim 8 clearly sets forth that the data communicated over the telecommunication network pertains to intellectual property and has been amended somewhat in order to clarify this. Consequently, all of the arguments with respect to claim 1 are equally applicable to claim 8 so that Applicant respectfully submits that claim 8 is allowable over the prior art references of record. Claims 9-11 and 13 all depend from claim 8 and are, therefore, also allowable.

The Patent Examiner has rejected claim 14 as unpatentable over Hartman in view of Smith et al. and in further view of Light. However, claim 14 as originally filed clearly sets forth that the data pertains to intellectual property and there is absolutely no suggestion in Hartman et

al., Smith et al. or Light of such a system. Therefore, for the reasons discussed with respect to claim 1, Applicant respectfully submits that claim 14 is also allowable.

Claim 15, the last independent claim, as filed clearly defines the means for receiving data pertaining to intellectual property; see claim 15, lines 5-8. The Patent Examiner, however, has rejected claim 15 and its dependent claims as unpatentable over Hartman et al. in view of Smith et al. However, as previously discussed, there is absolutely no teaching in either Hartman et al. or Smith et al. of a system for communicating information relating to intellectual property for the purpose of protecting that intellectual property over a telecommunication network. Therefore, Applicant respectfully submits that claim 15, and its dependent claims, are allowable.

In conclusion, Applicant wishes to clarify that the present invention is limited to transmitting information relating to applications for intellectual property over a telecommunication network. Applicant does not claim, and indeed could not claim, a broad system for communicating data over a telecommunication network. The communication of data over a telecommunication network is, by definition, not new. Instead, however, Applicant merely claims the invention limited to the transmission of data relating to applications to protect intellectual property over a telecommunication network, and that invention is clearly not shown by the references of record.

For all the foregoing reasons, Applicant respectfully submits that the present application is in condition for formal allowance and such action is respectfully solicited.

Respectfully submitted,

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